APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/044,720	01/11/2002	Arnon Amir	ARC920000131US1	1251

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FLEIT, KAIN, GIBBONS, GUTMAN, BONGINI
& BIANCO P.L.
ONE BOCA COMMERCE CENTER
551 NORTHWEST 77TH STREET, SUITE 111
BOCA RATON, FL 33487

EXAMINER
NGUYEN, CAM LINH T

ART UNIT	PAPER NUMBER
2161	

DATE MAILED: 03/02/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

	Application No.	Applicant(s)
Office Action Summary	10/044,720	AMIR ET AL.
	Examiner	Art Unit
	CamLinh Nguyen	2161

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on *16 December 2005*.

2a) ☐ This action is **FINAL**.   2b) ☒ This action is non-final.

3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) *1-36* is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) ☐ Claim(s) _____ is/are allowed.

6) ☒ Claim(s) *1-10 and 12-35* is/are rejected.

7) ☒ Claim(s) *11 and 36* is/are objected to.

8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.

10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a) ☐ All b) ☐ Some * c) ☐ None of:

      1. ☐ Certified copies of the priority documents have been received.

      2. ☐ Certified copies of the priority documents have been received in Application No. _____.

      3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
    Paper No(s)/Mail Date _____.

4) ☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____.

5) ☐ Notice of Informal Patent Application (PTO-152)

6) ☐ Other: _____.

DETAILED ACTION

Response to Amendment

1.   This Office Action is response to Appeal Brief filed 12/16/2005.

2.   Applicant's arguments with respect to claims 1 - 36 have been considered but are moot in

view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 103

3.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in
> section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are
> such that the subject matter as a whole would have been obvious at the time the invention was made to a person
> having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the
> manner in which the invention was made.

4.   Claims 1 – 5, 7 – 10, 12 – 30, 32 - 35 are rejected under 35 U.S.C. 103(a) as being

unpatentable over Ingle et al (U.S. 2002/0138524) in view of Chang et al (U.S. 2003/0050923)

further in view of Dieter Spaderna (U.S. 5,687,131).

♦ As per claims 1, 26,

Ingle discloses a method comprising:

- "Receiving a query" See page 2, paragraph 0022. The query corresponds to the request

    that the healthcare professional creates.

- "Separating a plurality of information sources into individual elements of content (EOC)"

    See page 2, paragraph 0044. Each "document section" or "linguistic structure"

    corresponds to the "EOC". "A plurality of information sources" See paragraph 0052.

- "Tagging each EOC with metadata" See paragraph 0054. The metadata corresponds to the type of information that identifies the tag (See paragraph 0056).

- "Pattern matching each EOC" See paragraph 0060, 0056.

- "Providing the EOC to a set of virtual buffers, each EOC being provided to one of the set of virtual buffers that is pre-defined to contain EOC with less than a given distance value between each other" See paragraph 0056 – 0057, Ingle. The "virtual buffer" corresponds to the memory in the assembly engine 108.

Ingle uses an algorithm method to operate the markup document, extracting the required sections from each document, and merges the resulting collections to create the summary document (paragraph 0045 – 0046). Ingle does not clearly teach a set of virtual buffers that is pre-defined and a distance function is applied.

However, Spaderna, on the other hand, discloses a memory block that is pre-defined to perform multiple functions (see the abstract of Spaderna). In addition, Chang et al, discloses method to calculate the similarity between objects.

- "Calculating the distance function from every EOC to every other EOC"

A distance function is applied to measure the similarity between objects (page 4, paragraph 0054, Chang). The distance function also is applied in synthesized data. (page 14, paragraph 0272 – 0273, 0284 – 0286, Chang).

It would have been obvious to one with ordinary skill in the art at the time the invention was made to apply the teaching of Spaderna about the memory block and the teaching of Chang into the invention of Ingle because the combination would provide the user access the information

more faster and easier by using different buffers for different type of data and the distance

function to calculate the similarity between objects and group them together.

♦ As per claims 2, 27, the combination of Ingle/ Spaderna/ Chang disclose:

- "Wherein the plurality of information sources comprises a plurality of content channels"

    See paragraph 0052 – 0054, Ingle.

♦ As per claims 3, 28, the combination of Ingle/ Spaderna/ Chang disclose:

- "Wherein the plurality of information sources comprises a plurality of related stories

    delivered on a single channel at different times" See paragraph 0052 – 0054, 0072, Ingle.

♦ As per claims 4 - 5, 15 - 16, 22 – 23, 29 – 30, the combination of Ingle/ Spaderna/ Chang

disclose:

- "Wherein the query is received via a user interface" and "wherein the query is received

    via an Internet browser" See paragraph 0075, Ingle.

♦ As per claims 7, 17, 24, 32, the combination of Ingle/ Spaderna/ Chang disclose:

- "Wherein the plurality of information sources comprises at least one of: Internet-based,

    intra-net based, and other online forms of news and information resources; video

    broadcasts; radio broadcasts; press release forums; and financial forums" see page 3,

    paragraph 0054.

♦ As per claims 8, 33, the combination of Ingle/ Spaderna/ Chang disclose:

- "Wherein the EOC comprise at least one of: text; video; audio; and digital media" see

    page 3, paragraph 0053.

♦ As per claims 9, 18, 25, 34, the combination of Ingle/ Spaderna/ Chang disclose:

- "Further comprising the step of creating virtual summary buffers" See page 6, paragraph

  0106.

♦ As per claims 10, 14, 21, 35, the combination of Ingle/ Spaderna/ Chang disclose:

- "Further comprising the steps of: concatenating the EOC in each virtual buffer; applying

  a comparative analysis filter to remove redundant sub-elements; synthesizing summary

  digests by extracting context-preserving EOC, the EOC having a distance function value

  less than a predetermined value; and presenting the results as summary digests" See

  paragraph 0132, Chang. Wherein: "concatenating the EOC in each virtual buffer"

  corresponds to the clustering of the samples; substitutes the samples with the documents

  in Ingle and "synthesizing summary digests" (See page 6, paragraph 0106, Ingle).

♦ As per claims 12, 19, the combination of Ingle/ Spaderna/ Chang disclose:

With all limitation as in claim 1, further claim 12 include:

- "A digest synthesizing application, wherein the digest synthesizing application, in

  response to receiving a query" See Fig. 1, paragraph 0022, 0106, Ingle.

- "A result set manager, communicatively coupled to the digest synthesizing application,

  for providing EOC to a result set" See Fig. 1, paragraph 0022, 0057, 0106, Ingle.

♦ As per claims 13, 20, the combination of Ingle/ Spaderna/ Chang disclose:

- "A query handler, for receiving a query" paragraph 0028 – 0029, Chang.

- "A distance calculator, communicatively coupled to the input filter, for calculating the

  distance function from every EOC to every other EOC" See page 4, paragraph 0054,

  Chang.

5.   Claims 6, 31 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ingle et al

(U.S. 2002/0138524) in view of Chang et al (U.S. 2003/0050923) further in view of Dieter

Spaderna (U.S. 5,687,131) as applied to claims 1 – 5, 7 – 10, 12 – 30, 32 - 35 above, and further

in view of Bull et al (U.S. 2003/0187726).

◆ As per claims 6, 31

        The combination of Ingle/Chang/ Spaderna fails to disclose: "Wherein the query is

received via an agent for pushing relevant information to a user based on a user profile".

        However, Bull et al discloses an information aggregation and synthesization system

comprising: an agent and a user profile (See Fig. 2, Bull). The user is presented with a multiple

search options such as text search agent (paragraph 0033). A user profile is applied for the next

use the information system (page 2, paragraph 0036).

        It would have been obvious to one with ordinary skill in the art at the time the invention

was made to apply the teaching of Bull into the combination of Ingle/Chang/ Spaderna because

the combination would reduce the searching time by using an agent to automatically search for

the user request.

Allowable Subject Matter

6.   Claims 11, 36 are objected to as being dependent upon a rejected base claim, but would

be allowable if rewritten in independent form including all of the limitations of the base claim

and any intervening claims.

7.   The following is a statement of reasons for the indication of allowable subject matter: the

dependent claims 11, 36 include the limitation of "the summary digests comprises color-coded

sub-elements of content based on the number of EOC containing that particular sub-element",

taken with the other limitations of the claim, were not disclosed by, would not have been obvious

over, nor otherwise fairly disclosed by the prior art of record.

Conclusion

8.   Any inquiry concerning this communication or earlier communications from the

examiner should be directed to CamLinh Nguyen whose telephone number is (571) 272-4024.

The examiner can normally be reached on Monday-Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Safet Metjahic can be reached on (571) 272-4023. The fax phone number for the

organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent

Application Information Retrieval (PAIR) system. Status information for published applications

may be obtained from either Private PAIR or Public PAIR. Status information for unpublished

applications is available through Private PAIR only. For more information about the PAIR

system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR

system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Nguyen, Cam Linh

LN

FRANTZ COBY
PRIMARY EXAMINER